

## COMMITTEE ON BILLS ON SECOND READING

**March 9, 2004**

**5:45 PM**

Chairman Lopez called the meeting to order.

The Clerk called the roll.

Present: Aldermen Lopez, Roy, Sysyn, DeVries, O'Neil

Messrs.: Alderman Osborne, Deputy City Solicitor Arnold, Chief Kane,  
Tom Lolicata, Lt. Valenti

Chairman Lopez addressed item 3 of the agenda:

3. Ordinance:

“Amending certain provisions of the Motor Vehicles and Traffic Ordinances to provide for increased penalties for parking in a Handicapped Parking Space and to provide penalties for parking in a Handicapped Parking Space Access Aisle.”

On motion of Alderman O'Neil, duly seconded by Alderman DeVries, it was voted to recommend that the Ordinance ought to pass.

Chairman Lopez addressed item 4 of the agenda:

4. Ordinance:

“Amending Section 70.55 Residential Parking of the Code of Ordinances of the City of Manchester by adding additional area to Residential Parking Permit Zone #4.”

Alderman O'Neil moved for discussion. Alderman Roy duly seconded the motion. There being none opposed, the motion carried.

Alderman O'Neil stated I don't know if it would be appropriate to ask Alderman Osborne who's sitting next to me because it's his ward. I understand what Alderman Osborne is trying to achieve here in protecting the residents

predominantly during the Minor League Baseball games and the question I have is could we do and I guess the City Solicitor could help, if possible, could we do some type of resident parking that's only addressed during the Minor League Baseball games, not during the day at eight o'clock in the morning or not on a Saturday if anything's going on or is it all or nothing and I don't know who wants to take a stab at it.

Chairman Lopez stated I think there was an amendment to this ordinance too, wasn't there, Carol, that it was only going to be effective until July 1, 2005. I guess you're question is can this only be adopted just during the baseball games.

Alderman O'Neil stated I've been to other cities...you go down to Boston College sometimes and only when an event is going on is certain parking in effect. Can we do something similar here or do we have to go resident parking 365 days a year.

Mr. Lolicata stated the other zones right now, I believe, are 365 and they have permits.

Alderman O'Neil stated that's not what I'm asking. I'm asking the law, the law, that's what I want to know.

Mr. Lolicata stated coming into this zone the way you're saying it you'd have to set up a special ordinance all together and maybe special permits, I don't know.

Alderman O'Neil stated whatever happens, Tom, you're going to have to make up the signs anyway right so there's really no additional cost if we did something like that.

Mr. Lolicata replied yes. If you change the wording, change the hours, change the days, yes because right now I have spare signs from the other zones and I'd have to make up new ones all together.

Alderman O'Neil asked is that a minimal cost or a major cost?

Mr. Lolicata replied I was talking with Alderman Osborne and it would cost me approximately...I figured it out about \$320 for signs and stakes no matter what it says...say we go brand new, for instance. We're talking about \$320.

Deputy City Solicitor Arnold stated yes I think you can do that, however, there is a practical problem and that is, of course, anybody that comes into the area to park has to know when the baseball games are in session so they know what parking regulations apply.

Alderman O'Neil stated so what we're doing is putting into effect a parking regulation that only affects 70 dates.

Alderman Osborne stated what I'm trying to say here basically is it's going to be hard enough to police it as it is with the 2-hour limit if we start changing that around. I think the whole thing is that we wanted to put it in with the same Zone #4 with the rest of the Verizon, it's just like taking all of the signage there and saying you can't park when they have something going on at the Verizon other than that it's kind of a hard thing to police. I think for the short period of time that baseball is going to be playing here whether it's a year or maybe it might stretch out to two years...I think this is fine the way it's worded, I don't know why we want to keep changing things here. I think what we have to do is protect the citizens of Manchester here basically. They've lived here most of these lives, a lot of them...I've lived there myself between Beech and Union on Grove and I used to have to park up in the lot in the winter time. Basically, the area itself is quite congested they even have a lot of problems there when they have circuses or whatever they have going on at the athletic field and when they were talking the other day about they have a Thanksgiving Day situation and so on...we're talking 40 games here, that's a lot of games whether it's evening or weekends or whatever, so it's kind of hard to police something like that and put "when they're having a game only" type of thing...residents parking only...I think this is quite simple enough and I'd like to see it passed as is. Thank you.

Chairman Lopez stated it's 70 games...I'd like to ask Tom Lolicata what the cost factor is so it's in the record in the event that you need money to do this and then I'd like to have Lt. Valenti tell us what it's going to cost so that is also in the record so it doesn't surprise us when they come up with these costs.

Mr. Lolicata stated for the channel posts and the signs I'm saying around \$320 and that does not include labor.

Lt. Valenti stated the projected cost for a parking enforcement officer would be \$5,964 for a 71-game season. It's \$84.00 per game times 71 games equals \$5,964. There is also a cost, it costs \$.58 per resident parking sticker...Tom and I talked and thought there would be roughly 300 resident parking permits passed out and that equals \$174 that the City would also have to incur.

Alderman Roy stated the question does not pertain to cost but we may get back to that at a later time. It goes to the amendment of July 1, 2005...right now, every effort...it's my understanding from baseball and I guess I'll direct this to you, Mike, Chair of the Special Baseball Committee...we're looking at they will play this year at Gill Stadium and then either open or go on the road for the beginning of the 2005 season, correct? We're talking about possibly extending this past the baseball season and into the mid-summer of next year.

Chairman Lopez replied it all depends on what happens and that's unforeseeable...might have to extend that date if they have to play at Gill Stadium, so we can always amend that later on...extend the date.

Alderman Roy stated that with the 70 games I do agree with Alderman Osborne in protecting his citizens and residents that live there but we are talking about the 70 nights and if we could carry something over more along the lines of events as Alderman O'Neil was going with, I think that would have a much better long-term effect on the resident's quality of life than just a blanketed two hours during the Minor League Baseball season.

Alderman O'Neil asked could either Mr. Lolicata or Lt. Valenti walk me through the process of Resident Parking now as it exists...each home or unit gets how many placards for their car.

Mr. Lolicata stated I'll try to help you. I think that they personally have to prove that you live in the residence, most of them are probably tenants down there...two, three families at a time...I guess one per car. If they have two cars, I guess they get two stickers, proof of residency gives you the amount of cars and stickers...that's the way I look at it.

Alderman O'Neil stated so you theoretically...a lot of those units are three-bedroom units, the apartments...you theoretically could have four cars per unit and they would be granted four cards.

Mr. Lolicata stated I think that's how it works. I believe Parking Violations is in charge of that, aren't they?

Lt. Valenti replied yes they could get a permit for each vehicle as long as there's proof of residency.

Alderman O'Neil asked what happens if I go to visit someone in that area and couldn't park...some have parking places in the alleys, some don't. What happens on the street, I would not be able to park on the street?

Lt. Valenti replied that would be a two-hour zone, so you could park there for two hours before you would be ticketed.

Alderman O'Neil stated enforcement is escalated during game events.

Lt. Valenti replied that is correct.

Alderman O'Neil stated otherwise there is no parking control officer out there so enforcement then would just be a route police officer or something.

Lt. Valenti replied that is correct.

Alderman O'Neil stated in the opinion of both of you has it worked successfully in the zone or zones it exists now.

Lt. Valenti replied I would say that it does as long as the regulation is enforced and we create traffic flow.

Alderman O'Neil stated I'm aware of the one that's east of the arena, I guess, is that the only one we have?

Lt. Valenti replied no we have...there are other zones, there's a zone up on High Street right now that apparently there was a problem with and I think we'll discuss that problem in the Traffic Committee, but for the most part it does work.

Alderman DeVries stated when this was in front of the full Board I had a concern for the Beech Street School, not for daytime during school hours because the signage already exists there but my concern is with the community center if they should have night time activities at the community center and I'm not sure that that is frequently the case, I know I have been to some events at that school in the evening. I'm just wondering is there a way that the school would be able to have stickers or placards that they could make use of such as the resident stickers but a portable placard that they could give out to somebody who was trying to attend something at the community center if this becomes an issue because that would issue the concern right there so that the school themselves could give out if they needed ten of them for parking in front of the school for activities that way they wouldn't be ticketed.

Mr. Lolicata asked is the school activity an activity for nighttime or day now.

Alderman DeVries replied at the community center for nighttime.

Mr. Lolicata asked is that rare, I really don't know. Do they have that much going on?

Alderman DeVries replied they rent out the hall, I don't know how much goes on. I know that I've participated in renting the hall.

Mr. Lolicata stated depending upon the hour because they have plenty of free parking at the JFK.

Alderman DeVries stated they won't though during baseball though.

Mr. Lolicata stated if they're earlier than the ballgame they will, they'll have their pick. It all depends on the hour.

Alderman DeVries stated I'm asking if there is any way to address that if it does become an issue?

Lt. Valenti replied yes, I would be more than willing to work with those folks so that they do have parking during their community events.

Alderman DeVries stated if it becomes an issue then Alderman Osborne can direct them to the Traffic Division of the Police Department.

Chairman Lopez interjected I don't think that is advisable that an Alderman direct the Traffic Department once we pass an ordinance, I don't think you want to get into that; that is my opinion.

Alderman DeVries stated I guess my thought is that if we give out permits that are fixed onto the car that there could be a placard that is similar to a permit that the school could pass out and pick up at the end of their event for that they, in essence, that the time of that event could become resident parking and the school could control it. They may not feel they have an issue.

Chairman Lopez stated I talked to the Principal at Beech Street School because they had talked to me about parking over there but she said there's no problem with the school over there and I know what you're getting at...if they do have a community center over there where are they going to park.

Alderman O'Neil stated if I may, Mr. Chairman, is maybe there has to be some coordination between the school scheduling an event the night that there is a baseball event. I think that can be easily done and am I correct to say there is no parking a good part of across the street from Beech Street in front of the park, you can't park there now.

Lt. Valenti stated that is correct.

Alderman Roy stated a question for Lt. Valenti...the numbers that we were given \$5,964 for enforcement, \$320 for signs and \$170 (roughly) for stickers total \$6,458 which I did the math for and at 70 games breaks out to \$92 per game, do you see us recouping this, I hate to see parking and fines as a revenue source but it could offset the cost of enacting this, is that realistic, do you get that type of performance in the Verizon area?

Lt. Valenti replied this would be a different type of enforcement. The enforcement around the Verizon is metered parking. This would be time parking with a fine of \$15.00 for that, so the fine would be increased but I think if we have certainly compliance we wouldn't have the revenue that's generated in and around the Verizon, but I think we certainly could recoup the \$5,964, I believe so.

Alderman Roy stated I just don't want this to be a cost issue. I'd rather see it be a quality of life for the residents issue and so if the numbers put forward the \$6,500 enact this goes away through revenues from fines then the cost becomes a non-issue to me. Thank you.

Chairman Lopez asked, Tom, you can absorb the cost?

Mr. Lolicata replied I'll absorb it, sure.

Alderman DeVries moved to recommend that the ordinance ought to pass. Alderman Roy duly seconded the motion. Alderman O'Neil duly recorded in opposition. Alderman Sysyn duly recorded as abstaining. Chairman Lopez voted yea. The motion carried.

Chairman Lopez addressed item 5 of the agenda:

5. Ordinance:

“Amending the Code of Ordinances of the City of Manchester by creating §75.00 Motorized Scooters established to govern the use of motorized scooters in the City of Manchester.”

Alderman O’Neil moved for discussion. Alderman Sysyn duly seconded the motion. There being none opposed, the motion carried.

Alderman DeVries asked, Lt. Valenti, are there any State laws that this would create a conflict with that you’re aware of?

Lt. Valenti replied no actually what happened...a little history behind this was the fact that all of a sudden in the City of Manchester we were getting a lot of complaints about these motorized scooters or go-peds, so we did call the State Motor Vehicle Department to see if there was anything that regulated these motorized scooters and we were told that there wasn’t; that we needed to adopt our own ordinance and that’s why we brought this forward.

Chairman Lopez in reference to 75.10 “a person violating this ordinance on a third, or more, time must appear.”...where, where must they appear?

Lt. Valenti replied in Manchester District Court.

Chairman Lopez asked should we put that in there or not?

Deputy City Clerk Johnson replied it says it in the tables...this is something that gets inserted in a table and in the table itself it references it.

Chairman Lopez stated the other one is 75.14...is \$5.00 sufficient?

Lt. Valenti stated that was the cost we came up with, it should be sufficient to cover the sticker itself for the fee, \$5.00 is fine.

On motion of Alderman O’Neil, duly seconded by Alderman Sysyn, it was voted to recommend that the ordinance ought to pass.



Chairman Lopez addressed item 6 of the agenda:

6. Ordinance:

“An Ordinance amending Section 92.24 Tampering with Alarm Boxes by establishing an initial and annual renewal fee for persons authorized under the Fire Department Listed Agent Program.”

Alderman O’Neil moved for discussion. Alderman Roy duly seconded the motion. There being none opposed, the motion carried.

Alderman O’Neil requested Chief Kane to address this item.

Alderman O’Neil stated the Listed Agent Program is not a new program, am I correct; that is something you’ve had for a while.

Chief Kane replied that is correct. The Listed Agent Program is about a 15-year old program.

Alderman O’Neil stated I apologize that I didn’t call you ahead of time on this but what’s new the \$25.00?

Chief Kane replied what’s new is that in the past we have been doing this for free, bringing the people in and basically giving them a permit and a key to go into our boxes and what has occurred and what started out as a great program...over the years it’s grown and grown to the point where it’s a little bit out-of-control now. So, what we’re trying to do is on an annual basis have the listed agents renew a permit with us so that we can keep track of who the listings are, who they work for. The program has expanded to 712 listed agents right now. Some of them we have not had contact with for years, so what we’re going to try to do with this program is reestablish the program and have an annual permitting process to reestablish themselves.

Alderman O’Neil asked is \$25.00 sufficient, I know it’s a pretty important...you take it very seriously...people working on fire alarm panels...does \$25.00 really help you achieve what you need to. I know it sounds like your first goal is just getting people registered and making sure that is as up-to-date as possible, so you know who’s out there but would a higher fee give it more bite, more seriousness I guess? Twenty-five dollars isn’t a lot of money for somebody to say...

Chief Kane stated I think what we're trying to do is first establish the program, we really don't know how many people are actually in the program. We know that there are 712 people who have gone through the training but we really don't know how many people exactly are going to be in the program after we establish it. But, what we're trying to do is recover our costs. It's basically our cost...on an annual basis is just mailing out the bill and a form and getting it back in.

Alderman O'Neil stated that's at the \$25.00.

On motion of Alderman O'Neil, duly seconded by Alderman DeVries, it was voted to recommend that the ordinance ought to pass.

### **TABLED ITEMS**

7. Ordinance:

“Amending the Code of Ordinances of the City of Manchester by creating a new section within Chapter 111: Amusements establishing regulations for noise activities conducted in outdoor concert venues throughout the city and inserting new penalties in Section 111.99: Penalty to enforce these regulations.”

*(Tabled: 11/06/2002)*

This item remained tabled.

8. Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by changing the zoning district of property currently zoned IND (General Industrial) to R-SM (Residential Suburban Multifamily) by extending the R-SM zone district on a portion of property identified as TM 478, Lot 8, located on Candia Road.”

*(Tabled: 10/14/2003)*

This item remained tabled.

There being no further business to come before the committee, on motion of Alderman DeVries, duly seconded by Alderman O'Neil, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee